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March 6, 2008

By Fax 212-805-7906

Hon. Denny Chin
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

VIA ECF

Re: United States vs, Michael Chu, et al
07 Cr 1143 (DC)

Dear Judge Chin:

On December 5, 2007, before the Hon. Magistrate Judge Frank Maas, the court ordered the following bail package for defendant, Michael Chu:

1. \$1,000,000.00, Personal Recognizance Bond;
2. Three (3) Financially Responsible People;
3. \$25,000.00, cash/property;
4. Travel restricted to SDNY EDNY;
5. Surrender documents and no new applications;
6. Strict pre-trial supervision;
7. Home detention;
8. Electronic monitoring.

The court also provided that our client could not be released before all of the above conditions have been met.

At the time of the bail application we presented to the court the following information:

- (a) Our client is a United States citizen for over 35 years;
- (b) He has a rent controlled apartment on West 91st Street in Manhattan for approximately \$340.00 per month where he has lived since prior to 1969;
- (c) He has been personally known to us for more than 30 years and has never been convicted of a crime;
- (d) He has been in the United States for more than 40 years;
- (e) The crime charged is not one of violence and the guideline level offense is between 25 and 28;
- (f) Our client is in ill health, suffering from diabetes and other ailments;
- (g) Our client collects social security;
- (h) Our client relies upon Medicare for medical treatment; and
- (i) He is over 70 years old.

We also indicated that most of his ties are in the United States and he has family in China, some of whom he has not seen in many years.

At the conference scheduled for today at 4:30 P.M., we respectfully request the opportunity to make an application to this court for a modification of the previous Order on bail conditions. The modifications we request are as follows:

1. The defendant, Michael Chu, sign a \$1,000,000.00 Personal Recognizance Bond;
2. The requirement for three Financially Responsible People be reduced to one; and
3. That in place of a cash/property payment of \$25,000.00, our client will file with the court a cash payment of \$200,000.00.

We also request that our client be released after he signs a \$1,000,000.00, Personal Recognizance Bond, posts \$200,000.00, cash, surrenders his travel documents (previously seized by the government), is fitted with an electronic monitoring device and submits to strict Pre-Trial

supervision. We further request that he be allowed two weeks to obtain the Financially Responsible Person for the \$1,000,000.00 Personal Recognizance Bond.

The basis for our request is that, because of Michael Chu's age all of his friends who he has been able to contact by telephone from jail, without the benefit of his personal diary and telephone directory in his house, are either ill (one just had a kidney transplant) or have met resistance from their children or their spouse to signing a commitment for Michael Chu. All of his friends are retired and even though they trust Michael Chu, their financial advisors and family members are opposed to his friends signing the Personal Recognizance Bond. We have submitted documentation to the United States Government indicating the source of the proposed cash payment of \$200,000.00 along with a copy of the brokerage statements clearly showing that the money existed before the alleged crimes. The person is a close friend of Michael Chu's sister and his brother-in-law named Koa Chin Lee. As a friend of the family Koa Chin Lee will lend \$200,000.00 to Michael's sister to facilitate the payment.

Based upon the above we respectfully request that the court allow us to make the application at the status conference today.

Thank you for your kind consideration in this matter.

Very truly yours,

David H. Singer

DHS:MM

cc: Rosemary Nidiry, Esq.

By Fax: 212-637-2620